



Publication Draft Representation Form 2014

For Official Use Only

Person ID:

8350

Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: www.warwickdc.gov.uk/newlocalplan

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**
or email: newlocalplan@warwickdc.gov.uk

Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa

Leamington Town Hall, Parade, Royal Leamington Spa

Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash

Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa

Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick

Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth

Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa

Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa

Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

Part A - Personal Details

1. Personal Details*

2. Agent's Details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.

Title

Ms

First Name

Last Name

Job Title (where relevant)

Organisation (where relevant)

Address Line 1

Address Line 2

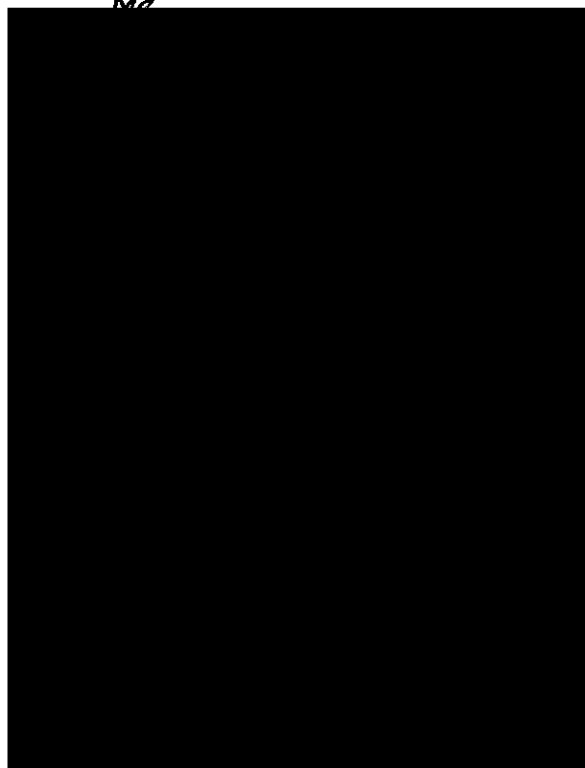
Address Line 3

Address Line 4

Postcode

Telephone number

Email address



3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination

Yes No

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan

Yes No

The adoption of the Local Plan.

Yes No

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Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA: LOCAL PLAN
Paragraph Number: REFERENCE THROUGHOUT TO KINGSWOOD, LARWORTH/
ROWINGTON
Policy Number: REFERENCE THROUGHOUT TO NPPF FOR FLOODING
REFERENCE THROUGHOUT TO NPPF FOR GREEN BELT
Policies Map Number:

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	No	<input checked="" type="checkbox"/>
5.2 Complies with the Duty to Co-operate?	Yes	No	<input checked="" type="checkbox"/>
5.3 Sound?	Yes	No	<input checked="" type="checkbox"/>

6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:
Justified:
Effective:
Consistent with National Policy:

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

PLEASE SEE REPRESENTATION ACCOMPANYING THIS FORM.

Continue on a separate sheet if necessary

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PRE DETERMINATION HAS INHIBITED THE PROCESS
THEREFORE IT SHOULD BE RECOMMENDED OR THE
INCLUSION OF ROWINGTON DELETED.

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination ✓

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

TO OFFER THE INSPECTOR A DETAILED EXPLANATION AS TO WHY THE PROCESS ADOPTED AND THE DRAFT PLAN PROPOSED IS FLAWED.

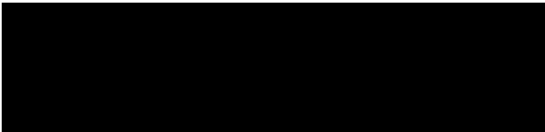
Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:



Date :


21 June 2014

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The plan gives incorrect and flawed descriptions of land, for example, Kingswood, Lapworth seems to automatically include Kingswood, Rowington. Lapworth and Rowington are both separate parishes and communities.

There is no consistency of approach or with National Policy with regard to Green Belt and Flooding.

The Plan refers to removal of land at Kingswood, Lapworth from the Green Belt. Does this mean that the land at Kingswood in the parish of Rowington is not being removed from the Green Belt.

Building in a floodplain is not consistent with national policy nor the policy adopted by Warwick District Council. When the initial Plan was considered other sites in Lapworth were identified but excluded due to flooding, but the sites adjoining Kingswood Brook were included even though they were liable to flooding. Photographs indicating the extent of flooding were provided. The Environment Agency also had concern regarding this area. Can development be permitted which may well cause flooding in the vicinity. Decisions were taken without substantiation or consultation with such bodies as the Environment Agency.

Proposed development not kept within locally known boundaries of Lapworth. Can a clear definition of the actual boundaries for Kingswood be provided. This is a historical region but no properties use Kingswood as part of their postal address, representation is either with Lapworth or Rowington not Kingswood.

The initial consultation referred to Kingswood, Lapworth and anyone living in Rowington would therefore assume that Rowington did not fall within a proposed development area. The majority of consultation meetings organised by Warwick District Council took place in Lapworth not Rowington.

Please see attached correspondence.

10th December 2013

Development Policy Manager
Development Services
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa CV32 5QH

Dear Sir

I refer to the Local Plan Consultation on Village Housing Options and Settlement Boundaries Consultation, in particular relating to Kingswood and wish to object to the sites 1, 2 and 6 identified in the above consultation. The previous consultation focused on Lapworth as a primary service village and indeed many meetings were held with residents from Lapworth, but no such opportunity was granted to the residents of Rowington as no development was envisaged due to Rowington being classed in the small village/hamlet category.

I wish to object to where it was indicated that your Council are looking for land from green belt within Lapworth (Kingswood) and that there would be very limited, if any, development in Rowington. This was a misleading consultation.

You are now looking at identifying sites within Rowington, without any proper consultation taking place with the residents of Rowington and who no doubt are of the opinion that there will be no development.

It is noted that some of the sites in Kingswood have been discounted due to flooding issues. I understand from the Environment Agency that they have not been consulted over any proposals for development at the Kingswood sites. They advise that given that the area experiences flooding, and the sites are to be included as part of the Local Plan, they would request that a flood model is undertaken as part of that process to inform those involved in the decision making process.

Some of the Kingswood sites referred to in the Consultation, have been discounted due to flooding, but others included as preferred options, notwithstanding flooding being experienced. How has this judgement been made if the Environment Agency have not been consulted?

The Consultation Document is incorrect. It states that option sites have been discussed with Rowington residents. What was the basis of discussion of proposed option sites. It was not with the Parish Council and there was no notice of any public meetings. Please clarify.

Lapworth and Rowington are completely separate villages in their own right. Local people do not make particular reference to living in Kingswood, they live in either Lapworth or Rowington and are proud to do so.

Preferred option sites 1 and 6 suffer from and have the potential to suffer from flooding, a point of concern raised previously by the Environment Agency when an application for development in the area of site 1 was submitted in the past. There is a proposal in preferred option site 1 to erect a gabion wall if development takes place. This is an acknowledgement of flooding potential and by erecting such a gabion wall where will any flood waters go, or is this not a matter of concern for the Council.

The sites identified at Kingswood are bounded by either Kingswood Brook and or canals, and local residents have had many years' experience of flooding where the Kingswood Brook passes under the Old Warwick Road by a restricted culvert and similarly by a restricted culvert under the feeder canal between the Grand Union Canal and the Stratford Canal. This has led to the flooding of local houses, shops and a garage and at times, leaving the Old Warwick Road impassable.

Further development can only aggravate the situation and from contact which I have made with the Environment Agency, it has not been consulted on the specific plans for these sites under the Draft Local Plan. Since this is the statutory body with the expertise into flooding at the present time, I find it alarming that your Council has not been in touch with them to determine that these sites are suitable before arriving at decisions with regard to preferred options. Good governance would say this is wrong.

The grouping of sites 1, 2 and 6 is far too over intensive having regard to the limited size of the local settlements. The locations are all backfill sites not infill sites which is generally regarded as an inappropriate means of justifying development taking place.

If any development is required, then surely this should be restricted to infill and spread throughout the settlement to avoid overcrowding and other problems associated with services and infrastructure for the area.

The Old Warwick Road is now a busy thoroughfare and access to the proposed sites in on a bend at the foot of a hill, and adjoining a busy garage which itself generates of lot of parked vehicles. The speed of traffic is often far in excess of the 30mph speed limit and with such potentially large developments creating in effect, a cross roads, this will be a traffic hazard. Have the police been consulted for their views?

The sites all have canal boundaries and which Kingswood Brook runs under. Have the Canal & Waterways Trust been consulted prior to a decision being taken over the preferred options? If not, why not?

There is poor public transport serving the area and emergency vehicles have at least a 10/15 minute journey before they can arrive in the vicinity. Have the Police and Fire Service been consulted?

The former Kingswood Nursery site is not only within green belt at present, it is also a Special Landscape Area which your Council determined and which it should be

seeking to conserve and protect. Over development will have a detrimental impact on the rural landscape.

The character of the surrounding area, the local street scene including listed buildings, watercourses, would make any development detrimental to the amenities of the adjoining residents as well as detrimental to the character of the area.

There is an abundance of wildlife in the area and I question whether or not the Council has undertaken a survey to establish whether there are protected species on the sites in question, in particular, bats and slow worms etc all of which have been seen locally.

In the initial consultation undertaken by your Council, 57 respondents were against Development and only 5 in favour. Those in favour being either developers or landowners wanting to develop their land.

Your Council is being challenged by a number of parish councils with the support of many other parish and town councils. Should you not defer any decisions until the outcome of this challenge is known. If your Council is wrong, then it has unnecessarily incurred a great deal of expenditure in a flawed consultation process.

Why for the sake of a few months until a decision is made about the validity of your housing needs figures has been determined, should you be continuing with this exercise.

If you determine sites now and it is found they are unnecessary then surely, you will set yourself up to challenges by developers and landowners.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

D Weir

From: [REDACTED]
Date: [REDACTED]
To: [REDACTED]
Subject: WDC Local Plan 2011-2029 - Email Correspondence to Warwick District Council (Item 3)

From: D Weir
Sent: Wednesday, May 21, 2014 1:15 PM
To: Paul Taylor
Cc: Andrew Jones ; Grahame Helm ; Siphwiwe Mahachi
Subject: Re: Re Flooding of properties by Kingswood Brook, Lapworth -

Dear Paul

I refer to your email and shall forward you a number of photographs clearly showing flooding which has taken place between the Old Warwick Road and canal link between the Grand Union Canal/Stratford Canal. You will see from these the extent of flooding. This does not emanate from one off incidences due to blockages caused by dumping from Willpower Garage. These photographs pre date the problems caused by Willpower Garage.

Your comments regarding the insufficiency of the culvert under Old Warwick Road, apply to the culvert under the canal/railway which is causing flooding to the houses and land at the rear of them, opposite Willpower Garage. As can be seen from these photographs, you will see that the flooding is coming from the brook and is extensive and serious. I am advised that the former Kingswood Nursery site was also affected by flooding, although not all of the site and a reliable witness is prepared to give a statement to that effect. The culvert there passes underneath the canal and railway line and as much as the culvert under the Old Warwick Road is insufficient, the photographs which I shall forward to you, suggest that the culvert under the canal/railway is also insufficient and development would only exacerbate it. Have you consulted with the Canal Trust and Network Railway regarding the culvert as clearly they are responsible for the culvert and may have views about the development?

The complaints made in the past were looked at and considered by an engineer who I understand still works for your Council, Mr John Cadden, who met with local residents to look at the extent of flooding and damage to property. I have detailed handwritten notes made by residents at the time of what was said, but perhaps you would approach Mr Cadden to discuss his recollections if he is no longer involved in this area of work. The flooding problems stem back many many years and is indeed reflected in the design of the houses opposite Willpower Garage (now Lapworth Garage) where the ground floor level was deliberately raised well above the foundations and this enables flood water to pass below the ground floor level.

In your email you refer to the fact that there was no flood zone mapping for the Kingswood area. I find this itself strange, since the Environment Agency flood maps cover Kingswood and on the 27th March I forwarded you a link to these flood maps.

You have required the owners of land intended for development to have assessments undertaken. The consultants used are appointed by those with a vested interest and I question whether or not they are entirely independent and what the briefing was.

I feel that if there is flooding in the future, then Warwick District Council should be liable due to negligently approving and permitting development in the area.

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As I cannot scan the photographs, I could bring the photographs in by hand to you if you wish. I would like them back so that they can be returned to the person that provided them. Photographs previously provided to your Council's Planning Department in the past would appear to have been lost and residents with photographs and other evidence are reluctant to hand photographs over to find that they also lost. Alternatively, I could put a copy of them in the post to you.

Regards
Diane Weir

From: Paul Taylor
Sent: Wednesday, May 21, 2014 11:27 AM
To: D Weir
Cc: Andrew Jones ; Grahame Helm ; Siphiwe Mahachi
Subject: RE: Re Flooding of properties by Kingswood Brook, Lapworth -

Diana,

As the EA flood zone mapping for the Kingswood area was non-existent, we made it a requirement for the developer for the two proposed sites abutting the Kingswood Brook to undertake a flood mapping exercise to determine the existing flood zones before deciding on which would sites would be entered into the local plan. For your information I attach two plans from the consultant, the first plan shows the multi coloured zones which indicates the depth of the flood water flowing across the sites and the second one showing the extent of flood zone 3 and flood zone 2 in relation to the site.

The modelling works carried out by the consultant shows that the existing culverts under the Old Warwick Road are insufficiently sized to allow the flows downstream in a 1 in 100 year storm event, therefore the water within the watercourse builds in depth upstream of the bridge, flooding out of the channel into Yew Tree Close and around other properties within this area, before flowing over the Old Warwick Road and across part of the land downstream towards the network rail track culvert.

As a result of this exercise it was felt that the proposals for the development north of the Old Warwick Road would have exacerbated flooding in this area. The flood zone for the site south of the Old Warwick Road removes a section of the site from development but there is still a large area of the site which can be developed without changing the flood risk to this area. Safe dry vehicle access can also be achieved in times of flood to/from this site. It is for this reason that the proposed development site north of the Old Warwick Road has been removed from the local plan and the site south the Old Warwick Road has been left in.

The developer is now looking at potential development options for the site and looking at the benefit of up sizing the culvert to remove the flood risk all together.

I trust this is of information to you but if you have any further questions related to flooding then please do not hesitate to contact me direct.

Regards

Paul Taylor
Area Engineer (Flood Risk)
Health & Community Protection
Warwick District Council

Tel: (01926) 456 327
E-mail: paul.taylor@warwickdc.gov.uk
Website: www.warwickdc.gov.uk

Riverside House | Milverton Hill | Leamington Spa | CV32 5HZ



From: [REDACTED]
Sent: 20 May 2014 15:42
To: Paul Taylor
Cc: Andrew Jones
Subject: Re: Re Flooding of properties by Kingswood Brook, Lapworth -

Dear Mr Taylor

I refer to my emails below and should be grateful for a response.

Regards
Diane Weir

From: D Weir
Sent: Wednesday, May 14, 2014 11:54 AM
To: Paul Taylor
Subject: Fw: Re Flooding of properties by Kingswood Brook, Lapworth -

Dear Mr Taylor

I should be grateful if you could confirm whether you have received the Hydrology Reports for proposed development at Kingswood and whether these will be available for public inspection.

Regards
Diane Weir

From: D Weir
Sent: Friday, March 28, 2014 6:00 PM
To: Paul Taylor
Cc: Grahame Helm ; michaelgreen@warwickshire.gov.uk
Subject: Re: Re Flooding of properties by Kingswood Brook, Lapworth -

Dear all

Please confirm what is meant by 'will also be consulted at this stage'. Do you mean before the District Council approval is sought to the Local Plan in April.

Regards
Diane Weir

From: Paul Taylor
Sent: Friday, March 28, 2014 5:02 PM
To: [REDACTED]
Cc: Grahame Helm ; mailto:michaelgreen@warwickshire.gov.uk
Subject: FW: Re Flooding of properties by Kingswood Brook, Lapworth -

FYI

From: Stephen Hay
Sent: 28 March 2014 08:07

To: Paul Taylor
Cc: Grahame Helm; Lorna Coldicott
Subject: RE: Re Flooding of properties by Kingswood Brook, Lapworth -

Hello Paul,

In relation to the correspondence below:

1. WDC has consulted with the EA on the various stages of the Local Plan development, including as part of the Villages Housing Options Consultation. The EA are on our standard statutory consultation list for planning document consultations.
2. On the Submission Draft Local Plan the EA will also be consulted formally at this stage.

Thanks,

Stephen

From: Paul Taylor
Sent: 27 March 2014 12:17
To: Stephen Hay; Lorna Coldicott
Cc: Grahame Helm
Subject: FW: Re Flooding of properties by Kingswood Brook, Lapworth -

Steven, Lorna

Can we please arrange a few minutes to discuss some of the questions raised below.

Regards

Paul Taylor
Area Engineer (Flood Risk)
Health & Community Protection
Warwick District Council

Tel: (01926) 456 327
E-mail: paul.taylor@warwickdc.gov.uk
Website: www.warwickdc.gov.uk

Riverside House|Milverton Hill|Leamington Spa|CV32 5HZ



From: Michael Green [<mailto:michaelgreen@warwickshire.gov.uk>]
Sent: 27 March 2014 11:58
To: D Weir
Cc: Paul Taylor; Paul Rimen
Subject: Re: Re Flooding of properties by Kingswood Brook, Lapworth -

Diane,

Responses in red below.

Regards,

Michael.

Michael Green
Flood Risk and Water Management Manager
Economic Growth
Communities
Warwickshire County Council

Tel. 01926 412781
Mob. 07795 236847
Email: michaelgreen@warwickshire.gov.uk
www.warwickshire.gov.uk

On 27 March 2014 11:48, [REDACTED]

Mr Green

Reference your email below, you confirm that the Environment Agency are a statutory consultee on flooding and drainage and the Environment Agency has been involved in this process. Can Warwick District Council confirm that it has consulted the Environment Agency on this proposed development in the draft local plan at Kingswood. Question for WDC.

You confirm that the "County Council flood risk management team are not a statutory consultee, and it is not obligatory for Local Planning Authorities to consult with us, although Warwick District have consulted my team regarding specific aspects of the Local Plan you refer to (such as with respect to sustainable drainage)."

The Environment Agency confirmed on the 31st October that they were not aware of any specific plans for this site under the Draft Local Plan. I consulted them regarding possible areas for development under the local plan consultation. The Environment Agency confirm that they would expect to be consulted on the final draft Local Plan. Please confirm that this will be done to the draft Local Plan prior to it being formally approved by Warwick District Council. Question for WDC.

If the County Council Flood Risk Management Team are not a statutory consultee, please confirm who is a statutory consultee as at 27th March 2014 with regard to proposed development in high risk flood plain and also proposed development adjoining Kingswood Brook, if the Floods and Water Management Act placed the responsibility of the Land Drainage Act with County Councils in the case of minor/non main watercourses such as the Kingswood Brook. The Environment Agency are the statutory consultee on matters of flooding and drainage. For information, Warwick District Council are also a Land Drainage Authority and a Flood Risk Management Authority.

Mr Taylor

Reference your email below. The Planning Department, Mr Will Charlton, was provided with photographs of flooding in approximately 2004 and he acknowledged receipt of these photographs. The photographs were sent by local residents Mr & Mrs Carpenter whose property has flooded on a number of occasions over the years. They submitted an objection to an original proposal to develop the former Kingswood Nursery for housing, a proposed development which the Environment Agency objected to or expressed concern over at the time. I agree the photographs relate to one incidence of flooding, but this was not the only incidence of flooding. Flooding has occurred on a number of occasions.

The current proposal for development at the former Kingswood Nursery site included a gabion wall. There is clearly concern that this may divert flooding to the rear of housing along Old Warwick Road. There has been instances of flooding behind those houses and no doubt you can obtain confirmation of

27/06/2014

this from local residents.

The Environment Agency from their records of previous consultations with themselves, advise that it is clear there have been flooding issues at this site in the past.

If you refer to the Environment Agencies website and flood risk map for Lapworth / Rowington:

<http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?lang=e&topic=ufmfsw&layer=default&scale=11&x=418832&y=271039#x=419007&y=271058&scale=11>

Sites 1 & 6 are in the high risk area. Whilst Site 2 is outside the high risk area, it feeds Site 1 due the gradient of the ground.

Regards



From: Paul Taylor

Sent: Wednesday, March 26, 2014 6:36 PM

To: Michael Green ; D Weir

Cc: Paul Rimen ; Mahal, Jagjit ; Lorna Coldicott ; Grahame Helm ; Siphwe Mahachi ; Stephen Hay

Subject: RE: Re Flooding of properties by Kingswood Brook, Lapworth -



Thank you for your emails,

Just to clarify that the flood photos that you have sent are in relation to the flooding emanating from a culverted section of watercourse under the Will Power garage to the rear of the shops. This watercourse is a turbidity to the Kingswood brook. This flooding was a result of the culvert becoming blocked with debris from the garage, i.e tyres etc. As a result of this Warwick District Council served notice on the garage owner and carried out clearance works to remove the blockages from the culvert and since this time no repeat flooding has occurred from this location.

As we share the same concerns about flooding in this area and the fact that the local plan sites are located between existing development abutting the Kingswood brook, we are interested in any photos of the Kingswood Brook itself overtopping the highway on the Old Warwick Road and onto the two proposed developments sites located immediately north and south of this location which abut the watercourse.

I can advise that since the two sites were put forward by our planning department, we have engaged early with the developers as it was found that there was a lack of flood zone maps and as a council we needed confidence that the developers were not going to exacerbate flooding in this area. We therefore met with the developers, raised our concerns and gave them a detailed drainage specification that we wanted them to meet in order for them to have the sites put forward within the local plan. Part of this was that they needed to carry out a flood zone mapping exercise via an independent consultant to show the 1 in 100 year+cc and 1 in 1000year flood zones which show the extent of the site which can be developed and the existing flood risks.

We have recently received the results of this mapping study and the consultants study seem to reinforce our and the local residents flood risk fears for this area, that the sites and the old Warwick road are subject to flooding from the Kingswood Brook. Although the flood zones extend across a large section of the sites the flood depths are shallow therefore an engineered solution which would benefit all residents within the area maybe possible to reduce the risk of flooding altogether. Again we have asked the developers to look into this and provide their

findings before a decision can be made to see if the sites are to feature within the local plan.

If these sites then feature within the local plan and go to a full planning application stage then the Environment Agency, Warwick County Council will be asked to comment, any proposed works to the channel of the watercourse and the erection of structures etc will need land drainage consent again from Warwickshire County Council.

I trust this clarifies a few points however If you have any further questions then please do not hesitate to contact me direct.

Regards

Paul Taylor
Area Engineer (Flood Risk)
Health & Community Protection
Warwick District Council

Tel: (01926) 456 327
E-mail: paul.taylor@warwickdc.gov.uk
Website: www.warwickdc.gov.uk

Riverside House | Milverton Hill | Leamington Spa | CV32 5HZ



From: Michael Green [mailto:michaelgreen@warwickshire.gov.uk]
Sent: 26 March 2014 10:21
To: [REDACTED]
Cc: Paul Rimen; Mahal, Jagjit; Paul Taylor; Lorna Coldicott
Subject: Re: Re Flooding of properties by Kingswood Brook, Lapworth -

[REDACTED]

Apologies - I misunderstood your email.

The Environment Agency are a statutory consultee on flooding and drainage, and I see from your email that Martin Ross from the EA has been involved in this process. County council flood risk management team are not a statutory consultee, and it is not obligatory for Local Planning Authorities to consult with us, although Warwick District have consulted my team regarding specific aspects of the Local Plan you refer to (such as with respect to sustainable drainage).

Warwick District are very pro-active in matters of flooding and land drainage, and they have a good drainage team who advise their planners with respect to flooding and drainage - I have copied Paul Taylor from Warwick District into this email.

I hope this addresses your concerns.

Regards,

Michael.

Michael Green
Flood Risk and Water Management Manager
Economic Growth

Communities
Warwickshire County Council

Tel. 01926 412781
Mob. 07795 236847
Email: michaelgreen@warwickshire.gov.uk
www.warwickshire.gov.uk

On 25 March 2014 18:18, [REDACTED]
Dear Michael

The photographs are not in relation to a planning application. They are in relation to the preferred option sites intended to be included in the Local Plan by Warwick District Council for housing development. I note your comments that you are not a statutory consultee on flooding and drainage matters, however, Mr Ross, at the Environment Agency wrote to me on the 31st October 2013 and confirm that "given that this area experiences flooding, we would certainly expect that a flood model was produced to inform any new development on site. If the site was to be included as part of the Local Plan, we could request that a model was undertaken as part of that process to inform the decision-making process." They also advised me that "regarding issues of responsibility/ownership, in 2011 the Floods and Water Management Act placed the responsibility of the Land Drainage Act with County Councils in the case of Minor/Non Main Watercourses such as the Kingswood Brook. Therefore, Warwickshire County rather than the District Council now have powers to provide consent/enforce on any issues."

Are you advising me that the County Council's Flood Risk and Water Management Department have not been consulted on proposed developments at Kingswood, adjoining Kingswood Brook and that you have consulted with the Environment Agency regarding proposed development in high risk flood plain.

I am in communication with my local MP and will raise this. I shall forward you a copy of my recent letter to my local MP.

Regards
[REDACTED]

From: [Michael Green](#)
Sent: Tuesday, March 25, 2014 6:04 PM
To: [D Weir](#)
Cc: [Jagjit Mahal](#) ; [Paul Rimen](#)
Subject: Re: Fwd: Re Flooding of properties by Kingswood Brook, Lapworth -

[REDACTED]
I acknowledge receipt of your email and photos which have been forwarded to the relevant officer.

Please note that we do not give bespoke comments on all planning applications (we are not a statutory consultee on flooding and drainage matters). We will however keep your photos on file and will make every effort to look at planning applications in this area.

Regards

Michael

Michael Green

Flood Risk and Water Management Manager
Warwickshire County Council

T: 01926 412781
M: 07795 236847

Sent from my mobile

On 25 Mar 2014 17:40, [REDACTED]
Dear Mr Green

Grateful if you could acknowledge receipt of the following photographs.

Kind Regards
[REDACTED]

From: Peter Rowland
Sent: Thursday, February 20, 2014 5:26 PM
To: Michael Green ; d.m.weir@orange.net
Subject: Fwd: Re Flooding of properties by Kingswood Brook, Lapworth -

Michael

Please find an e-mail from [REDACTED] which she sent to me in error.

Regards

Peter Rowland
Trading Standards Officer
Trading Standards Service
Warwickshire County Council
Tel: 01926 414027
Email: peterrowland@warwickshire.gov.uk
Secure Email: peterrowland@warwickshire.gcsx.gov.uk
www.warwickshire.gov.uk

----- Forwarded message -----

From: [REDACTED]
Date: 20 February 2014 15:25
Subject: Re Flooding of properties by Kingswood Brook, Lapworth -
To: community.protection@warwickdc.gov.uk
Cc: peterrowland@warwickshire.gov.uk



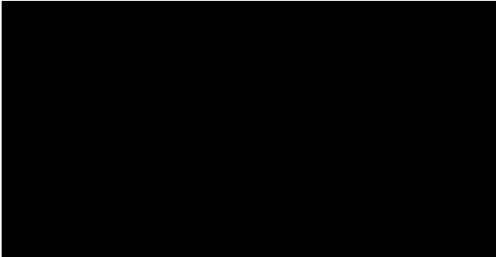
Dear Peter

An Officer recently visited a resident in Yew Tree Close regarding the flooding of properties and land adjoining Kingswood Brook. I am not sure if this was yourself or Mr Paul Taylor.

I have managed to find some photographs taken by the local Post Office and others and enclose 2 for your consideration and awareness in light of potential development proposals along Kingswood Brook. There have been other instances of flooding when the road was impassable. I assume you have details

of all the properties which flooded. I am aware that other earlier photographs were sent to Mr Charlton, Planning Department, previously when development was proposed at the then Kingswood Nursery and which also highlighted the extent of flooding experienced by local residents and I presume the Planning Department still hold these. I do have an email from the Planning Department (Mr Charlton) confirming they held the photographs.

I have a number of other photographs which you may also wish to see. If you are not the Officer concerned, I should be grateful if you could forward these to Paul Taylor.



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Latest news - www.warwickdc.gov.uk/news

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D Weir

From: [REDACTED]
Date: 26 June 2014 17:08
To: [REDACTED]
Subject: WDC Local Plan 2011-2029 : Email to Chris White MP dated 18th March 2014 copied to Warwick District Council (Item 2)

From: [REDACTED]
To: chris.white.mp@parliament.uk
CC: dave.barber@warwickdc.gov.uk
Subject: FW: PLANNING POLICY STATEMENT 25 (PPS25) 2006
Date: Tue, 18 Mar 2014 10:48:02 +0000

Dear Mr White

I refer to the Warwick District Council Local Plan Village Housing Options and Settlement Boundaries Consultation and my response copied to you on the 19th January 2014 regarding land in Rowington parish.

These parcels of land have now been identified as preferred option sites in the Local Plan despite objections to these sites being included in the Local Plan because of flooding issues at these sites in the past.

The Environment Agency advised me on the 31st October 2013 that they were not aware of any specific plans for Land adjoining Kingswood Brook under the Draft Local Plan and that "given that the area experiences flooding, we would certainly expect that a flood model was produced to inform any new development on site. If the site was to be included as part of the Local Plan, we could request that a model was undertaken as part of that process to inform the decision making process."

Local Planning Authorities have to have regard to the National Planning Policy Framework on development in areas at risk of flooding. Technical guidance on the Planning Policy Framework retained key elements of PPS25 as an interim measure pending a wider review of guidance to support planning policy.

The National Planning Policy Framework provides that inappropriate development in areas at risk of flooding within flood zones 2 and 3 or land within flood zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency, should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk from all sources of flooding, elsewhere. The aim of governments policies for managing flood risk through the planning system being to avoid inappropriate development in flood risk areas, with the key message of PPS 25 being to avoid such inappropriate development and to locate development away from flood risk whenever possible and about appropriate sustainable development in the right places, taking full account of flood risk.

I note the Ministerial Statement to Parliament by Nick Boles MP on 6th March 2014 on local

planning, in particular flooding and green belt issues and would ask for assurance that this Ministerial Statement will be followed and robustly complied with by Warwick District Council including all applicable guidance.

I should be grateful if you could confirm at what stage and on what grounds did Warwick District Council feel that sites prone to flooding should be included in the draft local plan and what was the basis of such a decision when other sites had been excluded due to flooding risks. Is there a particular reason why these sites are favoured.

Please also confirm whether there is a government policy with regard to marketable affordable housing. I am well aware of affordable housing, but I feel that this is being misused and opened up to 'marketable affordable housing'.

Yours sincerely

